

Introduced by Senators Chesbro and Soto
(Coauthors: Assembly Members Berg and Jones)

February 1, 2006

An act to amend Section 22710 of the Vehicle Code, relating to vehicles.

LEGISLATIVE COUNSEL'S DIGEST

SB 1225, as introduced, Chesbro. Service authority : registration fee.

Existing law authorizes the establishment of a service authority for the abatement of abandoned vehicles and the imposition of a \$1 vehicle registration fee in a county if the board of supervisors of that county, by a $\frac{2}{3}$ vote, and a majority of the cities having a majority of the incorporated population within the county adopt resolutions providing for the establishment of that authority and the imposition of the \$1 fee.

This bill would increase the amount of the vehicles registration fee for these purposes from \$1 to \$2.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 22710 of the Vehicle Code is amended
- 2 to read:
- 3 22710. (a) A service authority for the abatement of
- 4 abandoned vehicles may be established, and a ~~one~~ *two* dollar ~~(\$1)~~
- 5 *(\$2)* vehicle registration fee imposed, in ~~any~~ *a* county if the board
- 6 of supervisors of the county, by a two-thirds vote, and a majority
- 7 of the cities having a majority of the incorporated population

1 within the county have adopted resolutions providing for the
2 establishment of the authority and imposition of the fee. The
3 membership of the authority shall be determined by concurrence
4 of the board of supervisors and a majority vote of the majority of
5 the cities within the county having a majority of the incorporated
6 population.

7 (b) The authority may contract and may undertake any act
8 convenient or necessary to carry out any law relating to the
9 authority. The authority shall be staffed by existing personnel of
10 the city, county, or county transportation commission.

11 (c) (1) Notwithstanding any other provision of law, a service
12 authority may adopt an ordinance establishing procedures for the
13 abatement, removal, and disposal, as a public nuisance, of any
14 abandoned, wrecked, dismantled, or inoperative vehicle or part
15 thereof from private or public property; and for the recovery,
16 pursuant to Section 25845 or 38773.5 of the Government Code,
17 or assumption by the service authority, of costs of administration
18 and that removal and disposal. The actual removal and disposal
19 of a vehicle shall be undertaken by an entity that may be a county
20 or city or the department, pursuant to contract with the service
21 authority as provided in this section.

22 (2) The money received by an authority pursuant to Section
23 9250.7 and this section shall be used only for the abatement,
24 removal, and disposal as a public nuisance of ~~any~~ *an* abandoned,
25 wrecked, dismantled, or inoperative vehicle or part thereof from
26 private or public property.

27 (d) (1) An abandoned vehicle abatement program and plan of
28 a service authority shall be implemented only with the approval
29 of the county and a majority of the cities having a majority of the
30 incorporated population.

31 (2) The department shall provide guidelines for an abandoned
32 vehicle abatement program. An authority's abandoned vehicle
33 abatement plan and program shall be consistent with those
34 guidelines, and shall provide for, but not be limited to, an
35 estimate of the number of abandoned vehicles, a disposal and
36 enforcement strategy including contractual agreements, and
37 appropriate fiscal controls.

38 The department's guidelines provided pursuant to this
39 paragraph shall include, but not be limited to, requiring each
40 service authority receiving funds from the Abandoned Vehicle

Trust Fund to report to the Controller on an annual basis pursuant to subdivision (c) of Section 9250.7, in a manner prescribed by the department, and pursuant to an approved abandoned vehicle abatement program.

(3) After a plan has been approved pursuant to paragraph (1), the service authority shall, not later than August 1 of the year in which the plan was approved, submit it to the department for review, and the department shall, not later than October 1 of that same year, either approve the plan as submitted or make recommendations for revision. After the plan has received the department's approval as being consistent with the department's guidelines, the service authority shall submit it to the Controller.

(4) Except as provided in subdivision (e), the Controller shall *not* make ~~no~~ allocations for a fiscal year, commencing on July 1 following the Controller's determination to suspend a service authority when a service authority has failed to comply with the provisions set forth in Section 9250.7.

(5) ~~No~~ A governmental agency shall *not* receive ~~any~~ funds from a service authority for the abatement of abandoned vehicles pursuant to an approved abandoned vehicle abatement program unless the governmental agency has submitted an annual report to the service authority stating the manner in which the funds were expended, and the number of vehicles abated. The governmental agency shall receive that percentage of the total funds collected by the service authority that is equal to its share of the formula calculated pursuant to paragraph (6).

(6) ~~Each~~ A service authority shall calculate a formula for apportioning funds to each governmental agency that receives funds from the service authority and submit that formula to the Controller with the annual report required pursuant to paragraph (2). The formula shall apportion 50 percent of the funds received by the service authority to a governmental agency based on the percentage of vehicles abated by that governmental agency of the total number of abandoned vehicles abated by all member agencies, and 50 percent based on population and geographic area, as determined by the service authority. When the formula is first submitted to the Controller, and each time the formula is revised thereafter, the service authority shall include a detailed explanation of how the service authority determined the apportionment between per capita abatements and service area.

1 (7) Notwithstanding any other provision of this subdivision,
2 the Controller may allocate to the service authority in the County
3 of Humboldt the net amount of the abandoned vehicle abatement
4 funds received from the fee imposed by that authority, as
5 described in subdivision (b) of Section 9250.7, for calendar years
6 2000 and 2001.

7 (e) ~~Any~~ A plan that has been submitted to the Controller
8 pursuant to subdivision (d) may be revised pursuant to the
9 procedure prescribed in that subdivision, including compliance
10 with ~~any~~ *the* dates described therein for submission to the
11 department and the Controller, respectively, in the year in which
12 the revisions are proposed by the service authority. Compliance
13 with that procedure shall only be required if the revisions are
14 substantial.

15 (f) For purposes of this section, “abandoned vehicle
16 abatement” means the removal of a vehicle from public or
17 private property by towing or any other means after the vehicle
18 has been marked as abandoned by an official of a governmental
19 agency that is a member of the service authority.

20 (g) A service authority shall cease to exist on the date that all
21 revenues received by the authority pursuant to this section and
22 Section 9250.7 have been expended.